

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES PLUNKETT,
Plaintiff,

v.

W. VAUGHN, et al.,
Defendants.

No. 2:24-cv-1936 DAD CKD P

ORDER

Plaintiff is a state prisoner proceeding pro se and seeking relief pursuant to 42 U.S.C. § 1983. On March 21, 2025, the court screened plaintiff's amended complaint as the court is required to do under 28 U.S.C. § 1915A(a). The court found that plaintiff could proceed on claims for denial of medical care in violation of the Eighth Amendment against defendants Lehil and Baily. The court gave plaintiff two options: proceed on those claims or file a second amended complaint in an attempt to cure deficiencies with respect to the other claims. Plaintiff initially elected to proceed on the claims identified above but recently has indicated a desire to file a second amended complaint. Good cause appearing, IT IS HEREBY ORDERED that:

1. The court's April 9, 2025 order and findings and recommendations are vacated.
2. Plaintiff's amended complaint is dismissed.
3. Plaintiff is granted thirty days from the date of service of this order to file a second amended complaint that complies with the requirements of the Civil Rights Act, the Federal Rules

1 of Civil Procedure, and the Local Rules of Practice. The second amended complaint must bear
2 the docket number assigned this case and must be labeled "Second Amended Complaint." Failure
3 to file a second amended complaint in accordance with this order will result in a recommendation
4 that this action be dismissed.

5 4. As to the contents of the second amended complaint, plaintiff should refer to the
6 court's September 19, 2024, and April 9, 2025, screening orders.

7 Dated: June 3, 2025



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

12 1
13 plun1936.14(2)